IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 1132 of 1987

For Approval and Signature:

HONOURABLE MR.JUSTICE KSHITIJ R.VYAS

HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ACHARYA SWAMI SHRI PURSHOTTAMDASJI & 1 - Petitioner(s)

Versus

STATE OF GUJARAT & 3 - Respondent(s)

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Appearance :

MR SB VAKIL for Petitioner(s) : 1,MS ARCHANA R ACHARYA for Petitioner(s) : 1 - 2.
MR SP HASURKAR A.G.P. for Respondent(s) : 1 - 2.
MR PRASHANT G DESAI for Respondent(s) : 3 - 4.

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CORAM : HONOURABLE MR.JUSTICE KSHITIJ R.VYAS

and

HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

Date : 24/01/2006

ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE AKSHAY H.MEHTA)

1. It is stated before us by the learned counsel for the respective

parties that a settlement has been arrived at between the parties on 25th March, 1991 and it is already produced on record duly signed by the parties to the present proceedings. It is also stated that appropriate Resolutions have also been passed on the basis of the settlement that has been arrived at. It is also stated by the learned advocates that different obligations as stated in the settlement have been discharged between the parties and the settlement has been duly acted upon. Now it is stated that the possession of the land situated at Dani Limda bearing Survey No. 17/1 and 18/1 admeasuring 8094.59 sq. meters has been handed over by the petitioner. It is also stated that as and when the Government takes decision regarding the proposed variation in the TP Scheme in question, the parties will be at liberty to move for appropriate order.

2. In view of the above, this petition stands disposed of. Rule is discharged with no order as to costs.

[Kshitij R. Vyas, J.]

[Akshay H. Mehta, J.]

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